

JAN 13 2005

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Fax Transmission | January 13, 2005

TO: Commissioner for
Patents
Attn: Examiner Paul D. Marcantoni
Patent Examining Corps
Facsimile Center
Washington, D.C. 20231

FROM: John J. Gresens

OUR REF: 08788.0022US01
TELEPHONE: (612) 332-5300

Total pages, including cover letter: 4

PTO FAX NUMBER 703.872.9306


If you do NOT receive all of the pages, please telephone us at (612) 332-5300, or fax us at (612) 332-9081.

Title of Document Transmitted:

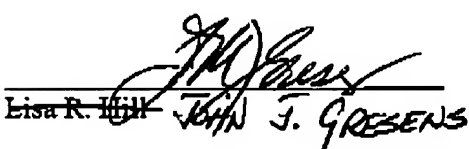
Response to Restriction Requirement:
Courtesy copy of Return Receipt Postcard
stamped received July 15, 2004

Applicant: TOLLNER
Serial No.: 10/642891
Filed: 08/18/2003
Group Art Unit: 1755
Our Ref. No.: 08788.0022US01

Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate.

By: 
Name: John J. Gresens
Reg. No. 33,112

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Lisa R. HillDate: 1/13/04

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JAN 13 2005

S/N 10/642891

PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | | |
|-------------|---|-----------------|--------------------|
| Applicant: | Tollner | Examiner: | Paul D. Marcantoni |
| Serial No.: | 10/642891 | Group Art Unit: | 1755 |
| Filed: | August 18, 2003 | Docket No.: | 08788.0022US01 |
| Title: | CONCRETE THICKENER FOR THICKENING CONCRETE ARTICLE, SAID CONCRETE ARTICLE AND PROCESS FOR PRODUCING SAME | | |

CERTIFICATE UNDER 37 CFR 1.6(d)I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on January
13, 2005.By: 

Name: Lisa R. Hall

JOHN J. GREZENS

RESPONSE TO RESTRICTION REQUIREMENTCommissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Request for Restriction of Examination mailed December 14, 2004, applicants provide the following remarks.

The Examiner has requested restriction of examination between three groups.

Group I comprises claims 1-10 drawn to a concrete article, classified in class 106, subclass 724. Group II comprises claims 11-12 drawn to a process for making a concrete article, classified in class 264, subclass 333. Group III comprises claims 13-15 drawn to a concrete thickener, classified in class 524, subclass 5+.

Applicants respectfully elect Group II comprising Claims 11-12 for examination, with traverse. The basis for applicant's traversal is that applicant doesn't necessary agree with, or wish to be bound by, the Examiner's rationale in proposing the request for restriction of examination.

Further, please note the certified copy of German application, Serial No. 103 31 758.9, filed 14 July 2003, was submitted with our Submission Of Priority Document on July 12, 2004. A courtesy copy of the Return Receipt Postcard stamped received on July 15, 2004 is enclosed.

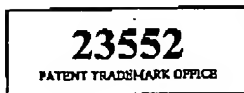
Favorable examination is respectfully requested.

Respectfully submitted,

MERCHANT & GOULD
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Date: 1-13-05

By *John J. Gresens*
John J. Gresens
Reg. No. 33,112



Receipt is hereby acknowledged for the following in the U.S. Patent and Trademark Office:

In re Application of: YOLLNER
For: CONCRETE THICKENER FOR THICKENING CONCRETE ARTICLE, SAID CONCRETE
ARTICLE AND PROCESS FOR PRODUCING SAME
Docket No.: 06738.0022US01
Filed: August 18, 2003

Serial No.: 10/642891
Due Date:

Date Mailed: July 12, 2004

- ☒ Transmittal Sheet in duplicate containing Certificate of Mailing
- ☒ Notice to File Missing Parts of Non-Provisional Application - Part 2
- ☒ Certified copy of a German application, Serial No. 103 31 758.9, filed 14 July 2003, the right of priority of which is claimed under 35 U.S.C. 119
- ☒ Small entity status has been previously established
- ☒ Signed Combined Declaration and Power of Attorney
- ☒ Check(s) in the amount of \$65 for Missing parts completion fee
- ☒ Other: Communications regarding Submission of Missing Parts, Submission of Priority Document
- ☒ Communication under 37 C.F.R. §1.32(e)(3)
- ☒ Return postcard

Patent



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